UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: LAWRENCE L. HERB, JR. : CHAPTER 13
   Debtor(s)      :
            :
CHARLES J. DEHART, III   :
STANDING CHAPTER 13 TRUSTEE :
   Movant      :
            :
   vs.        :
            :
LAWRENCE L. HERB, JR.   :
   Respondent(s)   : CASE NO. 1-18-bk-02872

TRUSTEE'S OBJECTION TO THIRD AMENDED CHAPTER 13 PLAN

   AND NOW, this 26th day of August, 2019, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

   1. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, debtor's have excess non-exempt equity in the following:

     a. Residential real estate. Non-exempt equity must pay
      unsecured claims.

   2. The Trustee provides notice to the Court as to the ineffectiveness of debtor(s) Chapter 13 Plan for the following reasons:

     a. Failure to use the Model Plan as adopted by the Court.
      Effective 12/1/2018.

   WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

     a. Deny confirmation of debtor(s) plan.
     b. Dismiss or convert debtor(s) case.
     c. Provide such other relief as is equitable and just.

       Respectfully submitted:

       Charles J. DeHart, III
       Standing Chapter 13 Trustee
       8125 Adams Drive, Suite A
       Hummelstown, PA 17036
       (717) 566-6097

    BY:  /s/James K. Jones
       Attorney for Trustee

## CERTIFICATE OF SERVICE

AND NOW, this 26th day of August, 2019, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Paul Lutz, Esquire
110 South Northern Way
York, PA   17402

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee